

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

THE STATE OF ARIZONA,
By and through its Attorney General, Mark
Brnovich, et al.,

PLAINTIFFS,

v.

MERRICK GARLAND, in his official capacity
as Attorney General of the United States, *et al.*,

DEFENDANTS.

CIVIL ACTION NO. 6:22-cv-01130-DCJ-CBW

**PLAINTIFF STATES' THIRD SET OF REQUESTS FOR PRODUCTION
INTERROGATORIES, AND REQUESTS FOR ADMISSION**

Pursuant to Federal Rules of Civil Procedure 33, 34, and 36, and the Court's January 17, 2023, Order, Plaintiff States hereby propound these Requests for Production, Interrogatories, and Requests for Admission on all Defendants. Except as modified herein, Plaintiff States incorporate by reference the Definitions and Instructions set forth in their Second Set of Requests for Production.

MODIFIED DEFINITIONS

7. **"IDENTIFY,"** with respect to a person, means the person's full name, residence in the United States, mailing address in the United States, telephone number, and, with respect to a natural person, date of birth. To the extent you object to identifying aliens by name—without Plaintiff States waiving the right to challenge that objection—they may be identified by some method that allows the same individual to be identified as a response to multiple questions, such as by all or a portion of the alien's Alien Registration Number. The identification should include the alien's age range—0-5, 6-18, 19 and above—and whether the alien is an unaccompanied alien child, family unit member, or single adult.

REQUESTS FOR PRODUCTION

14. All documents related to the “phased implementation” of the Asylum IFR.¹
15. All documents related to any pause in applying the Asylum IFR.²
16. All documents you may rely on at any stage of this case, including, but not limited to, the motion-to-dismiss stage, the preliminary-injunction stage, the summary-judgment stage, trial, and/or any hearing in this case.

INTERROGATORIES

1. IDENTIFY each witness whose testimony you may rely on at any stage of this case, including, but not limited to, the motion-to-dismiss stage, the preliminary-injunction stage, the summary-judgment stage, trial, and/or any hearing in this case, and state the general subject matter of each witness’s expected testimony.
2. For each count, state all grounds for your contention that Plaintiff States lack standing under Article III of the Constitution of the United States, including reference to any evidence and case law supporting that contention.
3. State all grounds for your contention that Plaintiff States do not benefit from the “special solicitude” described in *Massachusetts v. EPA*, 549 U.S. 497 (2007), including reference to any evidence and caselaw supporting that contention.
4. From January 1, 2012, to the present, IDENTIFY each alien who (1) last reported an address in Louisiana or Florida; (2) received a positive credible fear determination; and (3) did not file an application for asylum, withholding of removal, or relief under the Convention Against Torture; absconded; failed to appear for a removal hearing; or was adjudged removable *in absentia*.

¹ <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/fact-sheet-implementation-of-the-credible-fear-and-asylum-processing-interim-final-rule>

² <https://www.latimes.com/politics/story/2023-04-12/biden-asylum-processing-rule-pause;>
<https://www.foxnews.com/politics/biden-admin-pauses-key-asylum-shakeup-ahead-of-title-42s-expiration-next-month>

5. From January 2012 to the present, IDENTIFY each alien who (1) had a last reported address in Louisiana or Florida, (2) received a credible-fear interview but not a positive credible fear determination, was (3) paroled or otherwise released into the United States, and (4) did not file an application for asylum, withholding of removal, or relief under the Convention Against Torture; absconded; failed to appear for a removal hearing; or was adjudged removable *in absentia*.

6. From January 2012 through the present, IDENTIFY each alien who (1) had a last reported address in Louisiana or Florida, (2) received a positive credible fear determination, (3) applied for asylum, withholding of removal, or relief under the Convention Against Torture, and (4) was ordered removed after the claim for asylum, withholding of removal, or relief under the Convention Against Torture was denied.

7. IDENTIFY each alien currently not detained who (1) reports an address in Louisiana or Florida and (2) received a credible-fear interview by (a) whether the alien received a positive credible fear determination or not, (b) whether the alien was paroled or otherwise released, and (c) whether the alien has applied for asylum, withholding of removal, or relief under the Convention Against Torture, either affirmatively or defensively.

8. IDENTIFY each case currently pending in Louisiana or Florida in which the alien is making either an affirmative or defensive claim of asylum, withholding of removal, or relief under the Convention Against Torture.

9. IDENTIFY each case currently pending in Louisiana or Florida in which the alien is being processed pursuant to the Asylum IFR.

10. IDENTIFY each alien who (1) reports or reported an address in Louisiana and Florida and (2) was or is being processed pursuant to the Asylum IFR.

11. IDENTIFY each alien who (1) reports or reported an address in Louisiana and Florida and (2) was paroled or otherwise released from DHS detention pursuant to the Asylum IFR.

12. IDENTIFY each alien who (1) reports or reported an address in Louisiana and Florida and (2) was granted asylum, withholding from removal, or protection under the Convention Against Torture pursuant to the Asylum IFR.

13. IDENTIFY each document that you used as a source for your answers to these interrogatories.

REQUESTS FOR ADMISSION

1. At least one alien “with an intent to reside in or near ... New Orleans, LA” has been processed pursuant to the Asylum IFR.³

2. At least one alien “with an intent to reside in or near ... Miami, FL” has been processed pursuant to the Asylum IFR.⁴

3. At least one alien who reports an address in Louisiana has been paroled or otherwise released from DHS detention pursuant to the Asylum IFR.

4. At least one alien who reports an address in Florida has been paroled or otherwise released from DHS detention pursuant to the Asylum IFR.

5. At least one alien minor with an address in Louisiana has been paroled or otherwise released from DHS detention pursuant to the Asylum IFR.

6. At least one alien minor with an address in Florida has been paroled or otherwise released from DHS detention pursuant to the Asylum IFR.

7. At least one alien who reports an address in Florida has been granted asylum, protection under the Convention Against Torture, or withholding from removal using the procedure set forth in the Asylum IFR.

³ <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/fact-sheet-implementation-of-the-credible-fear-and-asylum-processing-interim-final-rule>

⁴ <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/fact-sheet-implementation-of-the-credible-fear-and-asylum-processing-interim-final-rule>

8. At least one alien who reports an address in Louisiana has been granted asylum, protection under the Convention Against Torture, or withholding from removal using the procedure set forth in the Asylum IFR.

Dated: April 20, 2023

Respectfully submitted,

JEFF LANDRY
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CERTIFICATE OF SERVICE

I certify that on this 20th day of April, 2023, I am causing the foregoing document to be served via email to brian.c.ward@usdoj.gov and erez.r.reuveni@usdoj.gov

/s/ Joseph S. St. John